

Kevin H. Sharp

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
)	
v.)	No. 2:12-00004
)	JUDGE SHARP
)	
JERMAINE PHILLIPS)	

**DEFENDANT'S MOTION FOR LEAVE TO REVIEW
PRESENTENCE REPORT BY TELEPHONE**

Defendant Jermaine Phillips moves for leave for counsel to review the presentence report with him by telephone, rather than in person.

Local Rule 32.01(b) requires defense counsel to conduct the review of the presentence report with the defendant in person. In this case, however, it would be reasonable to waive that requirement. Mr. Phillips is on pretrial release in Boston, Massachusetts. He is indigent. Requiring him to travel to Nashville to review his presentence report would impose on him an unnecessary expense. Likewise, the Office of the Federal Public Defender has very limited funds for travel, and requiring that office to pay for travel for this purpose would be burdensome. Undersigned counsel has litigated a suppression motion in this case, has already met with Mr. Phillips in person many times, and has developed a good working relationship with Mr. Phillips. Counsel believes that he and Mr. Phillips, who, of course, will have his own copy of the presentence report, can adequately review his presentence report over the telephone. For these reasons, it is respectfully requested that the Court waive the requirement of an in-person review of the report.